

Appendix 4 – Standards for Fire Operations Analysis Summary

Issue

Different expectations, operational standards, and unclear leader's intent regarding firefighter safety while actively engaged in a complex interagency wildland interface fire environment can complicate and potentially compromise firefighter safety.

Discussion

The Esperanza Fire was managed under a Cooperating Fire Protection Agreement (CFPA) signed on 01/01/2002 between the Bureau of Land Management (BLM), National Park Service (NPS), U.S. Forest Service (USFS), and California Department of Forestry and Fire Protection (CAL FIRE). The following is a notable excerpt from this agreement:

“RECITALS

3. *The State and Federal agencies acknowledge that differences exist between agency missions, but that each will represent the other agency's interests and must possess the recognition, knowledge and understanding of each other's mission objectives, authorities and policies. To the extent that “incident” objectives allow, each agency agrees to honor and aggressively pursue remedies to emergency fire situations that are consistent with what the other agency would have done had it been present. In “unified command” incidents, Incident Commanders must recognize each agency's mission objectives, authorities, and policies and agree as to how they will operate in compliance with same.”*

This CFPA permits cooperating agencies to provide fire management services on other agency's jurisdictional lands. All authority for fire management activities, however, is retained by the jurisdictional agency administrator. Agency administrators do not have the authority to accept different operating standards of the other agencies except for qualification standards. This cooperative agreement does not specify that the standards of the jurisdictional agency prevail, and thus jurisdictional authority and standards dictate the rules of engagement. The complexity of this situation is compounded when a fire is as challenging and dynamic as the Esperanza Fire.

Issue

There are few, but nevertheless notable differences between the Forest Service's and CAL FIRE's missions, objectives, authorities, and policies concerning firefighter safety.

On initial and extended attack incidents, agencies use cooperating agreements and a supplemental Annual Operating Plan to enable rapid response and avoid being encumbered by different agency specific administrative/documentation requirements. The Annual Operating Plan does not address how the host agency will apply critical safety standards; rather, they rely on each agency to comply with their own safety procedures. A pitfall in this approach is that important safety requirements and mitigation could be overlooked or neglected by agency administrators, command officers, and firefighters due the overwhelming urgency and demands created during operational periods for fire in the wildland urban interface during initial attack, extended attack, and transition.

Summary

The clear intent expressed as a guiding principle in the CFPA is "aggressive fire suppression". The word "aggressive" is used seven times in the document while the doctrine of "firefighter safety first" is mentioned only once. Existing safety rules and risk aversion did not notably influence decisions to aggressively engage in the Esperanza Fire, while aggressive risk management and anchoring to foundational wildland firefighting safety principles was less than apparent.

Excerpt from the CFPA:

"31. Protection Priorities

The State and Federal Agencies agree that they mutually share technical responsibilities for all values at risk from wildfire within their respective DPAs. Further, each agency agrees that incident management objectives will provide for firefighter safety first and recognize the following priorities:

- 1. Threat to human life.*
- 2. Threat to property (e.g., structures, improvement, and communities) and natural /cultural resources.*

*To the extent that incident objectives allow, the State and Federal Agencies agree to honor and aggressively pursue remedies to emergency fire situations that are consistent with what the other agencies would have done had they been present. **Specifically, the State and Federal Agencies acknowledge the necessity of demonstrating aggressive diligence in protecting structures and improvements from wildfire and protecting wildland and watershed from structure and improvement fires.***

The following is some additional points of note related to the CFPA:

“14. Operating Plan

An Operating Plan will be mutually prepared and approved by each Bureau Field Office, National Park Service Unit, or National Forest and the appropriate State Unit. The Operating Plan will be a local working document that is developed between the various Bureau Field Offices, National Forests, National Park Service Units and the appropriate State Units, and shall be an attachment to the Cooperative Fire Protection Agreement. It shall be forwarded to the CAL FIRE Director and the BLM State Director, NPS Regional Director, or FS Regional Forester by May 15, following approval by the designated State representative and the Bureau Line Officer, Park Superintendent or Forest Supervisor.”

- Records were unavailable to determine if the draft 2005 “Operating Plan” as required under the Cooperative Fire Protection Agreement was annually reviewed and approved; signed jointly.
- The draft “Operating Plan” encourages but does not require interagency training activities at the local level.
- The annual “Training Operating Plan” that is required by the CFPA has not been developed. However, a major interface zone training exercise involving 40 engine companies and 20 fire officers was conducted in the San Bernardino and San Jacinto Mountains on June 15, 2005.
- The duration of the existing CFPA shall continue through December 31, 2006.